

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

YAN FANG DU, Individually and as
Assignee of JOON HAK KIM,

Plaintiffs,

v.

ALLSTATE INSURANCE
COMPANY, DEERBROOK
INSURANCE COMPANY, a
subsidiary of ALLSTATE
INSURANCE COMPANY and DOES
1 through 100, Inclusive,

Defendants.

Case No. CV 08 06301 GW (PJWx)

JUDGMENT

Hon. George H. Wu

Trial Date: August 3, 2006

Time: 9:00 a.m.

Courtroom: 10

Complaint Filed: September 15, 2008

This action came on regularly for trial on August 3, 2010, in Courtroom 10 of the United States District Court for the Central District of California, the Honorable George H. Wu presiding. Matthew Biren and Sarina Hinson appeared on behalf of Plaintiff Yan Fang Du, as assignee of Joon Hak Kim. Peter H. Klee and Charles Danaher appeared on behalf of Defendant Deerbrook Insurance Company.

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1 A jury of eight persons was impaneled and sworn. Witnesses were sworn and
2 testified. After hearing the evidence and arguments of the attorneys, and being
3 instructed by the Court, the jury retired to consider its verdict.

4 On August 10, 2010, the jury answered the Special Verdict form as follows:
5

6 We answer the questions submitted to us as follows:
7

- 8 1. Did Deerbrook unreasonably or without proper cause, fail to
9 accept a reasonable settlement demand for an amount within the
10 policy limits?

11 ☐ Yes ☒ No
12

- 13 2. Did Du, individually, make a demand to settle her personal
14 injury claim against Kim for \$100,000 or less?

15 ☐ Yes ☒ No
16

- 17 3. Did Deerbrook have a reasonable opportunity to comply with the
18 terms and conditions of Du's settlement demand?

19 ☐ Yes ☒ No
20

21 **JUDGMENT**

22 Based on the jury's verdict, IT IS HEREBY ORDERED, ADJUDGED AND
23 DECREED that:

- 24 1. Judgment be entered in favor of Defendant Deerbrook Insurance
25 Company and against Plaintiff Yan Fang Du;
26 2. Plaintiff Yan Fang Du take nothing by way of her Complaint against
27 Deerbrook Insurance Company.
28

COSTS

Deerbrook Insurance Company is the prevailing party under Federal Rule of Civil Procedure 54(d)(1), and may pursue recovery of its costs incurred in this action in accordance with said Rule and the Local Rules of this Court.

IT IS SO ORDERED.

DATED: August 13, 2010



Hon. George H. Wu
United States District Court Judge